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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : J. Michael Sposito  
FOR : AUTOMATIC STOCK SELL/STOP MONITOR  
PROCESS  
SERIAL NO. : 09/758,094  
FILED : January 10, 2001  
LAST OFFICE ACTION : unknown  
EXAMINER : unknown  
GROUP ART UNIT : 2163  
ATTORNEY DOCKET NO. : 30903.30003

RECEIVED  
FEB 05 2004  
GROUP 3600

Akron, Ohio 44308-1471  
January 29, 2004

\*\*\*\*\*

CERTIFICATE OF MAILING

I hereby certify that this APPLICATION TO WITHDRAW AS ATTORNEY OF RECORD ACCORDING TO 35 C.F.R. § 1.36 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the following date:

January 30, 2004  
Date

D M Kempthorn  
D. M. Kempthorn

\*\*\*\*\*

APPLICATION TO WITHDRAW AS ATTORNEY OF RECORD  
ACCORDING TO 35 C.F.R. § 1.36

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 35 C.F.R. § 1.36, the undersigned, Roger D. Emerson, hereby requests permission to withdraw as attorney herein.

1. The reasons for my requested withdrawal are contained in detail in the enclosed letter to Mr. J. Michael Sposito, but can be summarized as (1) the applicant has not paid me for the services he has requested I perform; (2) the applicant has consistently and deliberately disregarded agreements and obligations he has made to me, especially concerning reimbursement for expenses and payment of my fees; (3) the applicant has generally refused to correspond or speak with me concerning his applications or his failure to pay my invoices; and (4) by his conduct the applicant is making it unreasonably difficult for me to carry out my representation of him and employment by him, effectively.

I have delivered to the client all files for which I was responsible and information he has given to me. Thereby, I have effectively empowered him to carry on his own prosecution of the applications, whether pro se or by hiring another intellectual property attorney. The time for response in each of the applications is greater than thirty days. As such, I believe I have left the applicant in a condition to carry on the prosecution of his applications without me. Therefore, I believe I have complied with all the obligations placed upon me by the U.S. Patent and Trademark Office to allow such withdraw and believe I am entitled to the application I request.

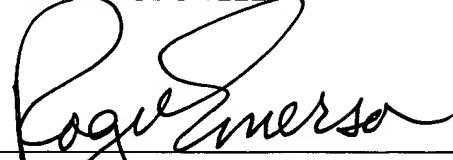
I hereby revoke all Associate Powers of Attorney previously granted.

Please send all further correspondence directly to the inventor at the address below:

J. Michael Sposito  
360 Willowdell Drive  
Mansfield, OH 44906

Respectfully yours,

**BROUSE McDOWELL**

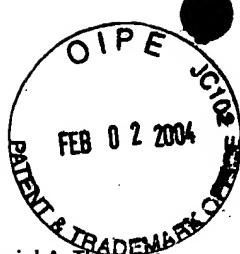


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**COPY**

**BROUSE McDOWELL**

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January 29, 2004

Mr. J. Michael Sposito  
360 Willowdell Drive  
Mansfield, OH 44906

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT**  
**REQUESTED**

Re: Withdrawal of Representation  
Before the U.S. Patent and Trademark Office  
**AUTOMATIC STOCK SELL/STOP MONITOR PROCESS**  
Our Ref.: 30903.30003

**RECEIVED**

FEB 05 2004

**GROUP 3600**

Dear Mike:

Because I have been unsuccessful in my numerous attempts to reach you, please note that I will be asking the Commissioner of Patents to allow me to withdraw in representing you in this case. I have directed him to send all future correspondence and telephone inquiries to you at the above-referenced address.

Enclosed, please find a copy of all of the information I have sent to the Patent and Trademark Office on your behalf. Also enclosed, please find a Power of Attorney, which may be executed if you change your mind. In the event you change your mind, we would require a retainer of \$3,038 to cover your past due amount and the beginnings of future work. Should you hire another attorney to represent you in this matter or if you would like to do it yourself, please feel free to call me for assistance. I would be happy to cooperate with whomever you may choose to represent you.

Very truly yours,

**BROUSE McDOWELL**

Daniel A. Thomson, Esq.

Enclosure

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